

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICHARD E. GALLO,
Plaintiff,

vs.

CHERYL BURSON, *et al.*,
Defendants.

Case No. 2:11-cv-01080-PMP-CWH

ORDER

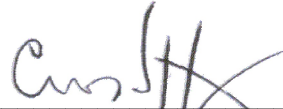
This matter is before the Court on Plaintiff's Motion for Enlargement of Time to File Amended Complaint (#9), filed March 7, 2012.

Pursuant to Federal Rule of Civil Procedure 6(b)(1), "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires." Fed. R. Civ. P. 6(b)(1)(A). Good cause is equated with the exercise of due diligence. *Guillen v. Owens*, 2011 WL 6032861 (D.Ariz.) (citing *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)). On February 13, 2012, the Court entered an order dismissing Plaintiff's complaint without prejudice but gave Plaintiff 30 days to amend. *See* Order (#8). By way of this motion, Plaintiff requests an additional forty-five (45) days to file his amended complaint. Plaintiff states that he has made every effort comply with the Court's 30-day deadline but, because of his limited law library access and the lag between when materials are requested and received from the law library, he will be unable to file his amended complaint in the time frame set by the Court. The Court finds that Plaintiff has demonstrated good cause for the requested extension. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Enlargement of Time to File Amended Complaint (#9) is **granted**. Plaintiff shall have until **Monday, April 30, 2012**, to file his

1 amended complaint.

2 DATED this 9th day of March, 2012.

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5 **C.W. Hoffman, Jr.**
6 **United States Magistrate Judge**
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